

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Jonathan Richard LEMMONS

Case No.

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 23, 2021 in the county of Webb in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

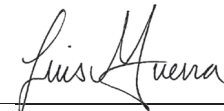
Title 8 United States Code, Section  
 1324(a)(1)(A)(ii) and (v)(I)

*Offense Description*

Did knowingly transport and move, attempt to transport and move, and  
 conspired to transport and move within the United States by means of  
 transportation and otherwise, an alien who had come to, entered, remained in  
 the United States in violation of law in furtherance of such violation, for the  
 purpose of commercial advantage and private financial gain.

This criminal complaint is based on these facts:

See attachment "A".

☒ Continued on the attached sheet.*Complainant's signature*

Luis Guerra, HSI Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 11/26/2021City and state: Laredo, Texas*Judge's signature*

Christopher Dos Santos, U.S. Magistrate Judge

*Printed name and title*

ATTACHMENT "A"

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I, Luis Guerra, a Homeland Security Investigations (HSI) Special Agent (SA), have knowledge of the following facts derived, in part, from either my personal observations, my training and experience, and/or information obtained from other agents and witnesses:

1. On November 23, 2021, at approximately 10:18 p.m., Border Patrol Agents (BPAs) received information from an anonymous person that a white tractor towing a white trailer was being utilized to smuggle undocumented individuals (UDIs) and was travelling towards the BP Checkpoint. BPAs, working at the U.S. Border Patrol Checkpoint, located at mile-marker 29 on Interstate Highway 35, north of Laredo, Texas, encountered a white tractor towing a white trailer driven by a male, later identified as Jonathan Richard LEMMONS. The tractor-trailer combination fit the information provided to BPAs above. The BPA working the primary inspection area conducted an immigration inspection of LEMMONS. During primary inspection, a service canine conducted a free air sniff and alerted to the presence of concealed humans and/or narcotics near the trailer. LEMMONS was referred to secondary inspection.
2. In secondary inspection BPAs conducted a non-intrusive x-ray scan of the tractor-trailer in which BPAs observed several anomalies resembling human silhouettes inside the trailer. BPAs conducted a search of the tractor-trailer and discovered ninety-one (91) subjects in the trailer. Immigration inspections of all ninety-one (91) subjects revealed they were illegally present with no documents to be or remain in the United States. All ninety-one (91) subjects were escorted to the holding area for further processing.
3. Homeland Security Investigations (HSI) Special Agents (SAs) responded to the scene and initiated an investigation into the human smuggling event. A search of the tractor-trailer yielded no legitimate cargo.
4. During a post-Miranda interview, LEMMONS stated he was offered \$350 by an individual known to him as Jason Strayhand to transport a tractor-trailer load from Laredo, Texas to a distribution center in San Antonio, Texas. LEMMONS stated he was going to be hauling potato chips in a refrigerated tractor-trailer. LEMMONS stated Strayhand provided him a bill of lading. Special agents noted, however, that when a search was conducted of the tractor-trailer, no bill of lading was found.
5. LEMMONS stated Strayhand instructed him to pick up the tractor-trailer at a truck stop near mile-marker 13 on Interstate Highway 35. LEMMONS stated when he arrived at the truck stop, he entered the tractor-trailer and departed towards the checkpoint around 9:00 p.m. LEMMONS stated he did not inspect the contents of the tractor-trailer load and denied any involvement in human smuggling.
6. HSI SAs identified Brandon RODRIGUEZ-De Leon, Gilberto RODRIGUEZ-Nieto, and Kevin GARCIA-Espinoza as material witnesses. The material witnesses are citizens of

Mexico and Guatemala. The material witnesses stated the tractor-trailer was running when they were loaded into the trailer and departed approximately five minutes after the last person was loaded and the rear door was shut.

7. All material witnesses admitted to being illegally present within the United States. All material witnesses stated they illegally entered the United States by way of Mexico by crossing the Rio Grande River by wading or swimming. All material witnesses stated arrangements were made with members of a human smuggling organization for them to be transported to various cities within the interior of the U.S. All material witnesses stated smuggling fees were paid for them to be smuggled into the United States.